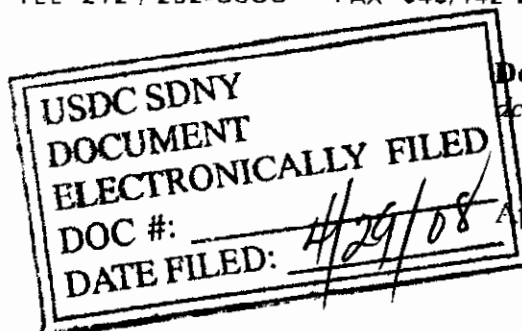


LAW OFFICES

KAGAN LUBIC LEPPER LEWIS GOLD & COLBERT, LLP

200 MADISON AVENUE, 24TH FLOOR • NEW YORK, N.Y. 10018-4001
TEL 212 / 252-0300 • FAX 646/442-2359



Denise M. Campbell, Esq.
dcampbell@kll-law.com

April 28, 2008

By Facsimile 212-805-7491
Hon. Loretta A. Preska
United States District Judge
United States Courthouse
500 Pearl Street, Room 1320
New York, NY 10007

Re: Harvey and Wilhelm v. 320 Owners Corp. and Lowery
Docket No. 07 CV 6763 (LAP)

Dear Justice Preska:

I am pleased to report that the parties have reached settlement terms and are in the process of drafting and exchanging a settlement agreement.

An appearance is scheduled before Your Honor on May 2, 2008. Upon consultation with your Law Clerk, and with my adversary attorney Stephen Somerstein's consent, the parties propose an adjournment to Monday June 2, 2008 at 2:00pm.

We hope to be able to contact Chambers before then to report that the action has been settled.

SO ORDERED

Loretta A. Preska
LORETTA A. PRESKA
UNITED STATES DISTRICT JUDGE

April 29, 2008

Sincerely yours,

Denise M. Campbell
Denise M. Campbell
(DC-3217)

cc: By Facsimile (734) 448-2757
Stephen A. Somerstein, Esq.
53 Prospect Park West
Brooklyn, New York 11215